

HOUSE No. 1191

By Mr. Broadhurst of Methuen, petition of Arthur J. Broadhurst and others relative to appointments to the Board of Education. Education.

The Commonwealth of Massachusetts

PETITION OF:

Arthur J. Broadhurst	Karen E. Spilka
J. James Marzilli, Jr.	Patricia D. Jehlen
David Paul Linsky	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO APPOINTMENTS TO THE BOARD OF EDUCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15, Section 1E is hereby amended by striking the first
2 paragraph thereof and inserting the following:
3 There shall be in the department a board of education, in this
4 section and in section one F and one G called the board, which
5 shall consist of the chairman of the student advisory council
6 established under this section, the chancellor of higher education,
7 one representative of a labor organization selected by the gov-
8 ernor from a list of three nominees provided by the Massachusetts
9 State Labor Council, AFL-CIO; one representative selected by the
10 governor from a list of three nominees provided by the Massachu-
11 setts Association of School Committees; one representative of
12 business or industry selected by the governor with a demonstrated
13 commitment to education; one representative of parents of school
14 children selected by the governor from a list of three nominees
15 provided by the Massachusetts Parent Teachers Association; and
16 two additional members selected by the governor, one of whom
17 shall be an educator employed by a public school district. In
18 making such additional selections, the governor shall seek to
19 appoint persons who are from geographically diverse regions of

20 the commonwealth and who are familiar with the differing inter-
21 ests, perspectives and needs of urban, rural and suburban school
22 districts. Not more than two appointive members of said board
23 shall be employed by or receive regular compensation from the
24 department of education, or from any school system, public or
25 independent, in the commonwealth. Not more than two
26 appointive members of said board shall be employed on a full-
27 time basis by any agency of the commonwealth. Upon the expira-
28 tion of the term of office of an appointive member of said board,
29 his successor shall be appointed for a term of five years. No
30 person shall be appointed to serve more than two full terms, pro-
31 vided, however, that only service on or after July 1, 1996 shall be
32 counted for this purpose. Prior service on said board for a term of
33 less than three years, resulting from an initial appointment or an
34 appointment for the remainder of an unexpired term, shall not be
35 counted as a full term. If a member is absent from any four regu-
36 larly scheduled monthly meetings, exclusive of July and August,
37 in any calendar year, his office as a member of said board shall be
38 deemed vacant. The chairman of the board shall forthwith notify
39 the governor that such vacancy exists. A person affiliated with or
40 employed by an independent institution of higher education or
41 public school district or who serves as a member of any school
42 committee shall be eligible for membership on said board. No
43 member of said board shall be found to be in violation of section
44 six of chapter two hundred and sixty-eight A for conduct which
45 involves his participation, as a member of said board, in a partic-
46 ular matter before said board which may affect the financial
47 interest of an independent institution of higher education or a
48 public school district or school committee with which he is affili-
49 ated, employed, or serves as a member, provided, however, that
50 said member, his immediate family or partner has no personal and
51 direct financial interest in said particular matter; and provided,
52 further, that such affiliation is disclosed to said board and
53 recorded in the minutes of the board.